

REMARKS/ ARGUMENTS

Claims 2 and 5-10 remain in this application. Claims 1, 3, 4, and 11 have been cancelled.

Claim 2 was rejected under 35 U.S.C. §102(b) as being anticipated by Andrews (U.S. Pat. No. 4,117,182). Reconsideration of this rejection is respectfully requested.

Claim 2 is an independent claim reciting:

[a] composition comprising:

a combination of ethylcellulose and amphiphilic triblock copolymer surfactant, wherein the amphiphilic triblock copolymer surfactant consists of a triblock copolymer of ethylene oxide-propylene oxide-ethylene oxide and the composition in dry coated form includes 40 wt% to 99.5 wt% ethylcellulose and 0.5 wt% to 60 wt% of the amphiphilic triblock copolymer surfactant; and

a single organic solvent, wherein the ethylcellulose and the amphiphilic triblock polymer surfactant are each dissolved in the single organic solvent.

Andrews teaches a heat activatable layer comprising either an acrylic resin or a cellulosic derivative preferably in connection with a straight chain, primary aliphatic oxyalkylated alcohol as the adhesive base component, a tackifier for that adhesive base component, and a major amount of an organic solvent (col. 3, lines 24-31). Andrews teaches that when an acrylic resin is employed as the adhesive base component, the tackifier is selected from a polyethylene glycol and/or a solid polyoxyalkylene derivative of propylene glycol or ethylene diamine and could be used in combination with one or more aromatic acid esters of monomeric or polymeric alkyl polyols (col. 3, lines 38-40). Andrews teaches that on the other hand when the adhesive base component is a cellulosic derivative the tackifiers include solid plasticizers such as dicyclohexyl phthalates and/or liquid plasticizers such as dioctyl phthalate (col. 3, lines 46-51). Andrews mentions that a cellulosic derivative can be optionally used to modify the tackiness of acrylic resin, which means that a cellulosic derivative may only be used in combination with a solid polyoxyalkylene derivative of propylene glycol or ethylene diamine when the composition includes acrylic resin.

According to MPEP §2141.02, “[a] prior art must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention.” From the

foregoing, it is apparent that Andrews teaches away from a composition comprising a combination of an ethylcellulose and a block copolymer derivative if the composition does not also include acrylic resin. Indeed, none of the exemplary formulations disclosed by Andrews, labeled "A" through "K," include a combination of an ethylcellulose and a block copolymer derivative, even in cases where the formulations also include acrylic resin (col. 8, line 50 - col. 9, line 27). Formulations "A," "C," "E," and "H" contain blends of a Pluronic component but without an ethylcellulose component. Formulations "J" and "K" contain blends of an ethylcellulose component but without a Pluronic component.

Furthermore, Andrews fails to disclose the range of ethylcellulose recited in the composition of claim 2. Claim 2 recites that the composition in dry coated form includes 40 wt% to 99.5 wt% ethylcellulose. In Andrews, when a cellulosic derivative is used as an optional component in an acrylic-resin-based adhesive composition, it is used in an amount no greater than 15% by weight of the total adhesive composition (col. 8, lines 37-42).

From the foregoing, it is clear that Andrews does not anticipate or make obvious the invention recited in claim 2. Withdrawal of the rejection of claim 2 in view of Andrews is respectfully requested. Claims 5-10, which depend from claim 2, are likewise patentable in view of the foregoing arguments.

Applicants believe that this paper is fully responsive to each and every ground of rejection cited by the Examiner in the Office Action dated July 16, 2003, and respectfully request that a timely Notice of Allowance be issued in this case.

Please apply any charges not covered or any credits to Deposit Account 10-0750.

Respectfully submitted,

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Adenike Adewuya
Adenike A. Adewuya
Reg. No. 42,254
Tel.: (281) 477-3450